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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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52531 7590 06/02/2009 CHRISTENSEN O'CONNOR JOHNSON KINDNESS PLLC 1420 FIFTH AVENUE SUITE 2800 SEATTLE, WA 98101-2347				
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PESIN, BORIS M				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/966,814

Applicant(s)

ALEXANDER ET AL.

Examiner

BORIS PESIN

Art Unit

2174

Period for Reply
-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-24 and 29-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-24 and 29-40 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)

Paper No(s)/Mail Date 2/17/2009

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Response to Amendment

This communication is responsive to the amendment filed 2/17/2009.

Claims 1, 4-24, and 29-40 are pending in this application. Claims 1, 25, 29, and 37 are independent claims. In the amendment filed 2/17/2009, Claims 1, 4-17, 19, 21-24, 29-34, and 37-38 were amended. This action is made **Final**.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4-12, 15, 16, 19, 23, 24, 29, 30, 31, and 35-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Carnahan et al. (US 6,560,557).

In regards to claim 1, Carnahan teaches a method for allowing remote access to a monitoring device comprising: receiving a request from a remote client computer to obtain control over a monitoring device, wherein the monitoring device is communicatively coupled and configured to be controlled from a premises server that received the request (Abstract and Figure 5, Element 10);

dynamically generating a graphical user interface responsive to the request, the graphical user interface being operable to control the monitoring device, wherein dynamically generating the graphical user interface includes selecting from a plurality of program modules stored at the premises server, a monitoring device program module

corresponding to the type of monitoring device that will be controlled through the graphical user interface, said monitoring device program module operable to control the monitoring device (Figure 5, Element 80, the GUI is sent back from the server to the client via an ASP);

delivering the graphical user interface to the remote client computer; obtaining user control instructions at the graphical user interface for controlling the monitoring device, wherein the user control instructions are obtained without said monitoring device program module being installed on the remote client computer (See Figure 7, Element 84, the information is passed from the server to the dialog through the ASP and nothing is installed on the client);

transmitting remote device control data corresponding to said user control instructions to the monitoring device; and obtaining remote device data generated by the monitoring device in response to transmission of said user control instructions (See Figure 7, Elements 86 and 87).

In regards to claim 4, Camahan teaches the method of Claim 1, wherein dynamically generating a graphical user interface includes: identifying two or more monitoring devices corresponding to the request (See Figure 2, Element 2C); selecting from the plurality of program modules, a program module corresponding to each identified monitoring device, the program modules operable to control the two or more monitoring devices (See Figure 4, Element 48); and generating a single screen interface containing all of the program modules, the program modules operable to generate graphical user interface components corresponding to the two or more monitoring

devices (See Figure 9).

In regards to claim 5, Carnahan teaches the method of Claim 4, wherein said user control instructions control the operation of all of the two or more monitoring devices (See Figure 7).

In regards to claim 6, Carnahan teaches the method of Claim 1, wherein the graphical user interface comprises a Web page (See Figure 9).

In regards to claim 7, Carnahan teaches the method of Claim 1, wherein obtaining a request corresponding to controlling the monitoring device includes: obtaining a request for monitoring data corresponding to the monitoring device.

In regards to claim 8, Carnahan teaches the method of Claim 1, wherein obtaining a request corresponding to controlling the monitoring device includes: obtaining a request to transmit data to the monitoring device (See Figure 7).

In regards to claim 9, Carnahan teaches the method of Claim 8, wherein said transmitted data causes the monitoring device to move (See Figure 9).

In regards to claim 10, Carnahan teaches the method of Claim 1, wherein transmitting control data includes: transmitting a request for accessing data from the monitoring device; and transmitting authorization for access to the monitoring device (See Figure 7).

In regards to claim 11, Carnahan teaches the method of Claim 1, wherein obtaining remote device data generated by the monitoring device includes: obtaining real-time data generated by the monitoring device (See Figure 9).

In regards to claim 12, Camahan teaches the method of Claim 1, wherein obtaining remote device data generated by the monitoring device includes: obtaining pre-recorded data generated by the monitoring device (Figure 7, Element 83).

In regards to claim 15, Camahan teaches the method of Claim 1, wherein transmitting data includes manipulating operating parameters of the monitoring device using said graphical user interface; and wherein obtaining remote device data includes obtaining remote device data generated by the monitoring device based on said manipulated operating parameters (See Figure 9).

In regards to claim 16, Camahan teaches the method of Claim 15, wherein the graphical user interface includes a graphical means for manipulating said operating parameters of the monitoring device, said graphical means operable to receive user inputs corresponding to said manipulation (See Figure 9).

In regards to claim 19, Camahan teaches the method of Claim 1, wherein obtaining user control data includes obtaining a request for manipulating operating parameters of the monitoring device; and wherein transmitting remote device control data includes translating said request into device specific commands, and transmitting said device specific commands to the monitoring device operable to change said operating parameters of the monitoring device (See Figure 9).

In regards to claim 23, Camahan teaches the computer-readable medium having computer-executable instructions for performing the method recited in any one of Claims 1 and 4-22 (See Figure 3).

In regards to claim 24, Carnahan teaches the computer system having a processor, a memory, and an operating environment, said computer system operable to perform the method recited in any one of Claims 1 and 4-22 (See Figure 3).

Claim 29 is similar in scope to claim 1; therefore it is rejected under similar rationale.

Claim 30 is similar in scope to claim 4; therefore it is rejected under similar rationale.

Claim 31 is similar in scope to claim 6; therefore it is rejected under similar rationale.

As per claim 35, which is dependent on claim 1, Carnahan teaches a computer-readable medium having computer-executable instructions (See Figure 3).

As per claim 36, which is dependent on claim 1, Carnahan teaches a system having a processor, a memory, and an operating environment (See Figure 3).

Claim 37 is similar in scope to claim 1; therefore it is rejected under similar rationale.

As per claim 38, which is dependent on claim 37, Carnahan teaches a proxy server in communication with said client computer and said server computer, said proxy server operable to process and store monitoring data generated by the at least one remote device (See Figure 2).

As per claim 39, which is dependent on claim 37, Carnahan teaches that the server computer and said client computer are in communication via the Internet (See Figure 2).

As per claim 40, which is dependent on claim 37, Carnahan teaches that the server computer and said client computer are in communication via a dedicated device control network (See Figure 2, Element 8).

Claim Rejections - 35 USC § 103

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carnahan et al. (US 6560557) in view of Crater et al (“Crater,” US005982362A).

In regards to claim 13, Carnahan teaches the method of Claim 1. Carnahan does not specifically teach wherein the monitoring device is a video camera, and wherein obtaining remote device data includes obtaining video data from said video camera. Crater teaches wherein the monitoring device is a video camera, and wherein obtaining remote device data includes obtaining video data from said video camera (column 3, lines 12-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Carnahan with the teachings of Crater and

include video camera as a monitoring device with the motivation to provide users with a great variety of monitoring devices and to allow for easier monitoring.

In regards to claim 14, Carnahan-Crater teaches the method of Claim 13, wherein transmitting remote device control data includes transmitting data manipulating said video camera (Crater column 7, lines 25-31).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carnahan et al. (US 6560557) in view of Crater et al. ("Crater," US005982362A) in view of Amini et al. ("Amini," US006698021B1).

In regards to claim 17, Carnahan teaches the method of Claim 16. Carnahan does not specifically teach wherein the remote device is a video camera, and wherein said graphical means is a graphical controller including graphical representation of a compass having an origin and directional indicators.

Crater teaches wherein the monitoring device is a video camera (column 3, lines 12-23). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Carnahan with the teachings of Crater and include video camera as a monitoring device with the motivation to provide users with a great variety of monitoring devices and to allow for easier monitoring.

Canahan-Crater do not specifically teach wherein said graphical means is a graphical controller including graphical representation of a compass having an origin and directional indicators. Amini teaches wherein said graphical means is a graphical

controller including graphical representation of a compass having an origin and directional indicators (figure 10C, element 1032 and column 16, lines 1-13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Canahan-Crater with a graphical means to control a video camera using a compass representation, as taught by Amini, with the motivation to provide an intuitive user interface capable of controlling camera motion relative to any initial camera position (column 16, lines 1-6)

Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Canahan-Crater-Amini in further view of Brush, II et al. ("Brush," US# 5732232).

In regards to claim 18, Canahan-Crater-Amini teaches the method of Claim 17. Canahan-Crater-Amini do not specifically teach wherein said graphical controller is operable to communicate the intensity of said manipulation, said intensity based on the distance away said user input is from said origin. Brush teaches wherein said graphical controller is operable to communicate the intensity of said manipulation, said intensity based on the distance away said user input is from said origin (column 3, lines 28-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of the combination of Canahan-Crater-Amini with a means to indicate the intensity of user input based on the distance the user input is from the origin, as taught by Brush, with the motivation to more efficiently translate user input

into desired outcomes on a graphical user interface and to enable a greater degree of user control of the interface (column 4, lines 65-67)

In regards to claim 20, Canahan-Crater-Amini teaches the method of Claim 18, wherein said remote device data generated by said remote device based on said changed operating parameters is real-time data (Crater column 3, lines 12-15).

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Canahan in view of Lemons et al. ("Lemons," US006504479B1).

In regards to claim 21, Canahan teaches the method of Claim 1. Canahan does not teach wherein the monitoring device is selected from the group consisting of intrusion detection devices, card readers, door strikes and contacts, access control panels, bar code scanners, video cameras, still cameras, and microphones.

Lemons teaches that the remote device is selected from the group consisting essentially of intrusion detection devices, card readers, door strikes and contacts, access control panels, bar code scanners, video cameras, still cameras, and microphones (column 6, lines 65-68 and column 6, lines 41-57 and column 5-6, lines 47-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Canahan to include intrusion detection devices, card readers, door strikes and contacts, access control panels, bar code scanners, video cameras, still cameras, and microphones, as taught by Lemons, with the motivation to monitor and control all aspects of an integrated security system (column 2, lines 30-33).

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Canahan in view of Nail (US# 5758340).

In regards to claim 22, Canahan teaches the method of Claim 1. Canahan does not specifically teach wherein the monitoring device can be locked, thereby preventing the simultaneous submission of instructions by more than one user.

Nail teaches that the remote device can be locked, thereby preventing the simultaneous submission of instructions by more than one user (column 3, lines 6-8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Canahan with a means to lock a remote device to prevent simultaneous submission of instructions by more than one user, as taught by Nail, with the motivation to prevent data inconsistency (column 3, line 6).

Claims 32 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carnahan in view of Lemons et al. ("Lemons," US006504479B1).

As per claim 32, which is dependent on claim 29, the teachings of Carnahan in regards to claim 29 have been discussed above. Carnahan does not explicitly disclose that the pre-selected remote device is a video camera having pan-tilt-zoom functionality, and wherein said graphical user interface is operable to control said pan-tilt-zoom functionality of said video camera and to view data from said video camera.

Lemons teaches that the pre-selected remote device is a video camera having pan-tilt-zoom functionality, and wherein said graphical user interface is operable to control said pan-tilt-zoom functionality of said video camera and to view data from said video camera (column 5, lines 60-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Carnahan with a means to control the pan-tilt-zoom functionality of a video camera and view data from the video camera, as taught by Lemons, with the motivation to control the function of remote video camera (column 3, lines 9-11) and provide the user with easy to access information that would not normally be easily accessible.

As per claim 34, which is dependent on claim 29, the teachings of Carnahan in regards to claim 29 have been discussed above. Carnahan does not disclose that the at least one pre-selected remote device is a motion detector.

Lemons teaches that the at least one pre-selected remote device is a motion detector (column 7, lines 5-10).

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Carnahan in view of Launey et al. ("Launey," US005086385A).

As per claim 33, which is dependent on claim 29, the teachings of Carnahan in regards to claim 29 have been discussed above. Carnahan does not disclose that the at least one pre-selected remote device is a temperature control device, and wherein said graphical user interface is operable to control said change in temperature of said

temperature control device. However, Crater disclose monitoring of temperature (column 8, lines 26-31).

Launey teaches that the at least one pre-selected remote device is a temperature control device, and wherein said graphical user interface is operable to control said change in temperature of said temperature control device (column 16, lines 48-61). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Carnahan with a means to control the temperature through a user interface, as taught by Launey, with the motivation to provide a simple interface to control the environment of a building and thus provide for greater usability (column 3, lines 10-13).

Response to Arguments

Applicant's arguments with respect to claims 1, 4-24, and 29-40 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to BORIS PESIN whose telephone number is (571)272-4070. The examiner can normally be reached on Monday-Friday except every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571)272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Boris Pesin/
Primary Examiner, Art Unit 2174